

Serial No. 10/669,862
Atty. Doc. No. 2003P14536US

REMARKS

Applicant has amended claim 8 and added new claim 21-27. Thus, claims 8-27 are pending and presented for examination. Applicant respectfully requests reconsideration and allowance of the pending claims in view of the foregoing amendments and the following remarks.

Response To Rejections Under Section 103:

Claims 8, 9, 12-18 and 20 stand rejected under 35 U.S.C. § 103(a), the Examiner contending that these claims are obvious over Herron (USPN 6,343,251) in view of Henry (USPN 6,845,306). The Examiner apparently reads Herron as disclosing Applicants' claimed invention except for marking a plurality of turbine components with indicia applied to a surface of the components, and using the uploaded data at the central processing station to track desired aspects of the marked turbine components, and contends that it would have been obvious to select the embedded computer chip of Henry and then further modify the Herron/Henry combination to arrange the computer chip on the component surface. Applicant respectfully submits that the Examiner has erred for at least two reasons:

First, as Applicant explained in the first office action response, Herron merely discloses an individualized maintenance schedule for a turbine, and does not disclose or suggest marking turbine components or placing the marked turbine components in a plurality of turbines. See e.g. Applicant's Background section page 2 lines 20-22. As further explained in Applicant's Background section, if individualized turbine maintenance schedules are used, a problem arises if an individual turbine component is used on more than one turbine, and another problem arises if a component type is not identical with another similar component type, and yet another problem arises if some individual components are repaired or replaced while other individual component are not repaired or replaced within the turbine. Applicant's invention resolves these problems. Herron's invention does not. Moreover, Herron's invention is wholly unequipped to address or resolve these problems. In fact, for Herron's invention to do so, would require it to vastly change its principle of operation (e.g. the controller 14, on-site monitor 16, remote database 18, among other features would have to be completely redesigned and overhauled to enable it to

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track of individual components). See e.g. Martin Declaration. As MPEP 2143.02VI states: "If the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims prima facie obvious."

Second as Applicant explained in the second office action response, Henry embeds its computer chip within the LRU components, col. 2 lines 42-43, which is necessary for the delicate computer chip to withstand the extremely high turbine temperature within which many of the turbine components operate. See e.g. Applicant's spec page 1 lines 17-18 (2,700°F), Herron page 1 lines 53-59. If Henry's computer chip was applied to the surface of the turbine component it would incinerate. See e.g. Martin Declaration. As MPEP 2143.02 V states: "if the proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification."

Claims 10, 11 and 19 stands rejected under 35 U.S.C. § 103(a), the Examiner contending that these claims are obvious over Herron (USPN 6,343,251) in view of Henry (USPN 6,845,306) and further in view of Isobe (USPN 6,636,813). The Examiner apparently reads Herron and Henry as above, and reads Isobe as disclosing that the marking identifies a material composition from which at least a portion of the turbine component was manufactured, referencing col. 3 lines 6-27 and 49-63. Applicant respectfully submits that Isobe: (1) teaches a remaining life system in consideration of the design and material of turbine components similar to Herron, and (2) does not teach or suggest that components such as turbine blades are individually evaluated and tracked. Therefore Applicant respectfully submits that Isobe provides no further teaching or suggestion over Herron, and respectfully requests the Examiner to clarify and cite where Isobe provides the further limitations recited in claims 10, 11 and 19.

Dependent claims 9-20 are also patentable based on their dependency from independent claim 8 as well as their own merit. For example, new claim 20 recites that the markings are readable by a human looking at the surface of the component.

Therefore, Applicant respectfully requests that the Examiner withdraw the Section 103 rejections.

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New Claims 21-27:

New dependent claim 21 recites that the turbine components are marked with a bar code. In contrast, the Henry discloses a serial number (Col. 3. lines line 65). The Examiner has previously determined that this difference is patentably distinct. Restriction Requirement para 2. See also, MPEP 806.04(h), 808.1(a). Therefore, Applicant respectfully requests allowance of claim 21.

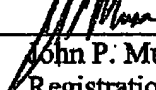
New dependent claims 22-27 further define the invention.

Conclusion

For the foregoing reasons, it is respectfully submitted that the rejections set forth in the outstanding Office Action are inapplicable to the present claims and specification. Accordingly, Applicant respectfully requests that the Examiner reconsider the rejections and timely pass the application to allowance. Please grant any extensions of time required to enter this paper. The commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

Dated: 2/5/07

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